

REMARKS

Claims 1-6 and 8 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite. It was stated that it was unclear whether the interior housing of Claim 1 was being functionally or positively recited. A similar objection was made to the capacitor interface electronics. Applicant has followed the Examiner's suggestion to positively recite the housing and the capacitor interface electronics, then associate the wound core and the capacitor interface electronics with the regions of the housing. Several of the dependent claims have been amended to be consistent with the amended language of Claim 1.

A similar objection has been made with respect to Claim 6. It is respectfully submitted that with the amendment to Claim 1 the capacitor interface electronics is positively recited in that claim, and Claim 6 further defines the electronics as comprising a circuit board.

With these amendments it is respectfully submitted that Claims 1-6 and 8 are now clear and definite.

Claims 1-2, 4-5, 8-10, 13-14 and 16 were rejected under 35 U.S.C. 102(b) as being anticipated by GB patent 1 368 057 (Dennis). Claim 1 describes an apparatus for packaging an energy storage capacitor adapted for use with an external defibrillator, the apparatus comprising a housing having a first interior region and a second interior region; capacitor interface electronics of the external defibrillator located in the second interior region; a wound core disposed in the first region of the housing and adapted for electrical connection to the capacitor interface electronics of the external defibrillator, the wound core being arranged in such a manner that a void for receiving potting material is positioned between the wound core and a side surface of the housing, and a conductive path adapted to electrically connect the wound core and the capacitor interface electronics in the second region of the housing; the first region being sized to receive the wound core and the potting material, and having a cavity defined by the side surface, a closed first end, and an at least partially open second end, the second region being sized to receive the capacitor interface electronics; and an exterior housing surface arrangeable to at least in part surround the interior regions. The two interior regions of the housing provide one for the wound core which accommodates the potting material, obviating the need for a separate potting cup for the core. Capacitor interface electronics are located in the second interior region so that the electronics are separate from the potting material of the core. As is well known, external defibrillators charge the capacitor upwards of 2000 volts, which can over time result in failure of the

associated electronic components. Since the electronics of the capacitor do not have to be potted, these components can be separately serviced and replaced as needed.

The Dennis capacitor comprises a capacitor roll 6 which is housed in the single compartment of a case 1. There is an opening 2 through which potting material can be poured to fill the compartment. A cover 4 is placed on top of the case, leaving small triangular notches 3 through which the wires of the capacitor roll extend. It is seen that Dennis does not have a housing with two interior regions as called for by Claim 1. The case has only a single space for the capacitor roll. There are also no capacitor interface electronics as called for by Claim 1. There is also no second interior region in which capacitor interface electronics are located. For these numerous reasons it is respectfully submitted that Claim 1 and its dependent Claims 2-6, 8-14 and 16 cannot be anticipated by Dennis.

Claims 3 and 12 were rejected under 35 U.S.C. 103(a) as unpatentable over Dennis in view of US Pat. 6,535,096 (Rapoport). Rapoport describes automobile ignition electronics which has a storage capacitor 72. There is no suggestion that the storage capacitor has a housing with two internal regions as called for by Claim 1. There are also no capacitor interface electronics, nor a second region of the capacitor housing for capacitor interface electronics. Thus it is seen that Rapoport has the same deficiencies as Dennis with regard to Claim 1. Since Claims 3 and 12 both depend from Claim 1, it is respectfully submitted that these claims are patentable by reason of their dependency.

Claims 6 and 11 were rejected under 35 U.S.C. 103(a) as unpatentable over Dennis in view of US Pat. 4,546,300 (Shaikh). Shaikh describes an oil-filled submersible capacitor for a submersible pump. The capacitor 23 and a switch 24 are potted in the single compartment of a housing 27 so they will be water-tight and protected from the oil. Like Dennis and Rapoport, there is no housing with two interior regions, one for a potted capacitor core and another for capacitor interface electronics. It is seen that Shaikh has these same deficiencies as Dennis and Rapoport with regard to Claim 1. Since Claims 6 and 11 both depend from Claim 1, it is respectfully submitted that these claims are patentable by reason of their dependency.

Claim 17 was rejected under 35 U.S.C. 103(a) as being unpatentable over Dennis in view of US Pat. 5,645,571 (Olson et al.). Claim 17 describes an external defibrillator, comprising a housing comprising a first interior region and a second interior region, the first interior region defining a first cavity and having a configuration defined by a side surface, a closed first end and an at least partially open second end, the second interior region

defining a second cavity; a wound capacitor core arranged in the first interior region in such a manner that a void is positioned between the wound capacitor core and the side surface; an electrical path for conductively connecting the wound capacitor core and the second interior region; a potting material disposed in the void; and a capacitor interface disposed in the second interior region, the capacitor interface in communication with the wound capacitor core via the electrical path. The first and second interior regions provide one space for potting a wound capacitor core and a second space for a capacitor interface which is coupled to the capacitor core and which can be serviced or replaced because it is not in the potted space with the capacitor core. Olson et al. mention capacitors in their defibrillator in column 4 but do not illustrate them in their drawings, nor do they say anything about the construction or configuration of the capacitors. Dennis, as seen from above, does not have a capacitor housing with two interior regions as called for by Claim 17. The Dennis case has only a single space for the capacitor roll. There is also no capacitor interface in Dennis as called for by Claim 17. There is also no second interior region in which a capacitor interface is located. Olson et al. provides none of these deficiencies. Accordingly it is respectfully submitted that Claim 17 is patentable over Dennis and Olson et al.

In view of the above amendment and remarks, it is respectfully submitted that Claims 1-6 and 8 are now clear and definite, that Claims 1-2, 4-5, 8-10, 13-14 and 16 are not anticipated by Dennis, that Claims 3, 6, 11 and 12 are patentable over Dennis, Rapoport, and Shaikh, and that Claim 17 is patentable over Dennis and Olson et al. Accordingly it is respectfully requested that the rejection of Claims 1-6 and 8 under 35 U.S.C. 112, of Claims 1-2, 4-5, 8-10, 13-14 and 16 under 35 U.S.C. 102 (b), and of Claims 3, 6, 11, 12 and 17 under 35 U.S.C. 103(a) be withdrawn.

In light of the foregoing amendment and remarks, it is respectfully submitted that this application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

DANIEL J. POWERS

By: /W. Brinton Yorks, Jr./
W. Brinton Yorks, Jr.
Reg. No. 28,923

Philips Electronics
22100 Bothell Everett Highway
P.O. Box 3003
Bothell, WA 98041-3003
(425) 487-7152
September 22, 2009